

Appl. No. 10/078,644
Amdt. dated January 20, 2005
Reply to Office Action of September 22, 2004

REMARKS/ARGUMENTS

Claims 17, 20 - 23, 40, 43 - 46, 63, 66 - 69, 86, and 89 - 101 are in the application for consideration.

Claims 1 - 16, 24 - 39, 47 - 62 and 70 - 85 have been canceled without prejudice pursuant to the requirement for election of species.

Reconsideration of the application is requested in view of the amendments made in the claims and the statements appearing below herein.

1. Enclosed is a set of formal drawings. These drawings are identical to the drawings originally filed with the application.

2. The requirement for species election has been made final. Claims 1 - 16, 24 - 39, 47 - 62 and 70 - 85 have been canceled without prejudice to the right of applicants under 35 U.S.C. § 121 to file a divisional application directed to these claims.

3. The specification has been amended to update the status of certain co-pending patent applications which are referred to therein.

Appl. No. 10/078,644

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4. The objection to Claim 17 has been overcome by substituting the term "system" for the term "method" as noted by the examiner.

5. The rejection applied under the second paragraph of 35 USC § 112 to claims 19/18, 42/41, 65/64 and 88/87 has been overcome by the cancellation of claims 19, 42, 65 and 88.

6. Claim 17 has been amended to even more particularly point out and distinctly claim applicants' inventive method. The claim now recites "... intentionally misregistering the dots of (emphasis added) at least one of said dot patterns with respect to the dots of (emphasis added) at least one of said other patterns ...". The amendatory language is clearly supported by the specification. See, for example, page 29, lines 18 - 22.

The term "only" which was originally present in the claim to modify the directions of the dot patterns has been replaced by the term "both". In addition the term "positioned" which was originally present in claim 18 to describe the distribution of the dots in the dot patterns has been replaced with the term "spaced". The term "pattern misregistration" has been amended to read "misregistration pattern". These amendments are fully supported by the specification as originally filed. See,

Appl. No. 10/078,644
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for example, the text at page 9, line 24 to page 10, line 17.

The same amendments have been made in independent claims 40, 63 and 86.

7. Claim 17 has been amended to include the subject matter originally recited in Claim 18, which was indicated as containing allowable subject matter. Claim 40 has been amended to include the subject matter originally recited in claim 41 (indicated as containing allowable subject matter), claim 63 has been amended to include the subject matter originally recited in claim 64 (indicated as containing allowable subject matter), and claim 86 has been amended to include the subject matter originally present in claim 87 (indicated as containing allowable subject matter).

Thus, amended claims 17, 40, 63 and 86, and the claims which are dependent thereon, are patentable over the references of record.

8. New claims 93 - 101 have been added to the application. These claims are drawn to, respectively, a system, apparatus and method for an embodiment of the invention disclosed in the specification. These claims read on the elected species and are properly in the application for consideration.

The embodiment of the invention recited in claims 93 - 101 is illustrated in Fig. 1 where there is shown

Appl. No. 10/078,644
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at least one array (i.e., 302, 303 or 304) of printing elements (302A, 303A or 304A) extending across substantially the entire width of the receptor surface 301.

Claims 93 – 101 are patentably distinguishable over U.S. Patent 6,005,596 ("Yoshida et al") because although this reference teaches forming dots on a receptor by means of a linear array of heating elements which extends across substantially the entire width of the receptor, and also teaches intentional misregistration of the dots in the direction of motion of the receptor surface (referred to as the "sub-scan direction" in Figs. 1 and 3 of the reference) there is no teaching or suggestion of intentional misregistering of the dots in the direction perpendicular to the direction of motion of the receptor (referred to as the "main scan direction" in Figs. 1 and 3). Yoshida et al specifically teaches having a 300 dpi period for all colors in the direction perpendicular to the direction of motion of the receptor, i.e., the main scan direction as defined in the reference, and therefore all colors are in registration in this direction.

New claims 93 – 101 are therefore patentable over Yoshida et al.

In summary, all the claims presently in the application for consideration have been shown to be patentable. Reconsideration of the application and

Appl. No. 10/078,644
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allowance of claims 17, 20 - 23, 40, 43 - 46, 63, 66 - 69, 86, and 89 - 101 are respectfully requested.

It is believed that no fee is due since the number of independent claims, and the total number of claims, remaining are less than those originally paid for; however, if any additional fee is due, please charge our Deposit Account No. 16-2195. A duplicate copy of this paper is enclosed.

Respectfully submitted,



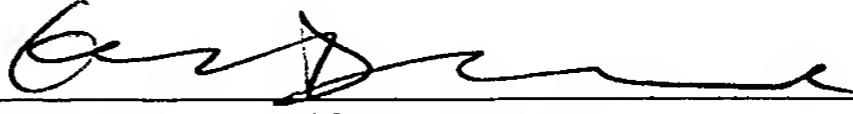
Gaetano D. Maccarone
Registration No. 25,173

Polaroid Corporation
Patent Department
1265 Main Street
Waltham, MA 02451
Tel.: 781-386-6405
Fax: 781-386-6435

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: January 20, 2005



Gaetano D. Maccarone
Registration No. 25,173